

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

VO-753

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

10/572,997

INTERNATIONAL APPLICATION NO.

PCT/EP2004/010725

INTERNATIONAL FILING DATE

24 September 2004

PRIORITY DATE CLAIMED

26 September 2003

## TITLE OF INVENTION

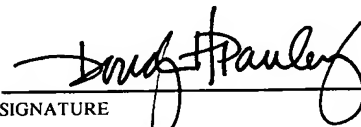
BLOOD PRESSURE MEASURING METHOD AND BLOOD PRESSURE MANOMETER

## APPLICANT(S) FOR DO/EO/US

Klaus FORSTNER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☒ This is a **SECOND OR SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
  4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
  5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ has been transmitted by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)). (verified)
  7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ have been transmitted by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☐ have not been made and will not be made.
  8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). (verified)
  9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (3 pages, executed, attached to a copy of the International Application)
  10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:
11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. (3 pages total)
  13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
  14. ☐ A substitute specification. (attached to a red-ink marked-up version of the English language translation)
  15. ☐ A change of power of attorney and/or address letter.
  16. ☒ Other items or information:
    - Copy of Notification of Missing Requirements Under 35 U.S.C. 371
    - Certificate of Mailing by Express Mail (2 pages)
    - Transmittal of Replacement Drawings (1 page) and two (2) sheets of Replacement Drawings (Figs. 3 and 5)
    - Return Receipt Postcard
    - Executed Claim for Small Entity Status document
    - Form PTO-1449 (1 Sheet) and with a copy of each and every non-U.S. Patent reference cited therein

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/572,997		INTERNATIONAL APPLICATION NO. PCT/EP2004/010725		ATTORNEY'S DOCKET NUMBER VO-753		
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b>  Basic National Filing Fee ..... \$ 300.00  National Stage Search Fee ..... \$ 500.00  National Stage Examination Fee ..... \$ 200.00				<b>CALCULATIONS</b> <span style="float: right;">PTO USE ONLY</span>		
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$ 0.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total claims			X \$50.00			
Independent claims			X \$200.00			
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00			
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 130.00		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+		
<b>SUBTOTAL =</b>				\$ 65.00		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+		
<b>TOTAL NATIONAL FEE =</b>				\$ 195.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+		
<b>TOTAL FEES ENCLOSED =</b>				\$ 235.00		
				Amount to be: refunded	\$	
				charged	\$	
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$235.00</u> to cover the above fee is enclosed.  b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.  c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-3550</u> . A duplicate copy of this sheet is enclosed.						
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.						
SEND ALL CORRESPONDENCE TO:  Pauley Petersen & Erickson 2800 West Higgins Road, Suite 365 Hoffman Estates, Illinois 60195 (847) 490-1400 Fax: (847) 490-1403						
				 SIGNATURE		
				Douglas H. Pauley NAME		
				33,295 REGISTRATION NUMBER		

Form PTO-1390 (REV 10-95) page 2 of 2

04/06/2007 LLANDGRA 00000014 10572997

01 FC:2617  
02 FC:161865.00 OP  
130.00 OP

RECEIVED

FEB 05 2007



## UNITED STATES PATENT AND TRADEMARK OFFICE

Pauley Peterson &amp; Erickson

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/572,997	Klaus Forstner	VO-753

42419  
 PAULEY PETERSEN & ERICKSON  
 2800 WEST HIGGINS ROAD  
 SUITE 365  
 HOFFMAN ESTATES, IL 60195

INTERNATIONAL APPLICATION NO.	
PCT/EP04/10725	
I.A. FILING DATE	PRIORITY DATE
09/24/2004	09/26/2003

CONFIRMATION NO. 9038

371 FORMALITIES LETTER



\*OC000000022264574\*

Date Mailed: 02/01/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/23/2006
- Copy of the International Search Report filed on 03/23/2006
- Preliminary Amendments filed on 03/23/2006
- Request for Immediate Examination filed on 03/23/2006
- U.S. Basic National Fees filed on 03/23/2006
- Substitute Specification filed on 03/23/2006
- Priority Documents filed on 03/23/2006

*Response to missing requirements*  
 DOCKETED  
 DATE 01 Apr. 07  
 ATTORNEY Ula  
 ENTERED: cm  
 007770

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
  - The text in the drawings has not been properly translated.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$195** for a Small Entity:

- **\$65** Surcharge.
- **\$130** for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/572,997	PCT/EP04/10725	VO-753

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Klaus FORSTNER  
Title: BLOOD PRESSURE MEASURING METHOD AND  
BLOOD PRESSURE MANOMETER  
Serial No.: 10/572,997  
Based Upon: PCT/EP2004/010725  
Express Mail No.: EV924406535US  
Date of Deposit: 02 April 2007

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

**Mail Stop PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

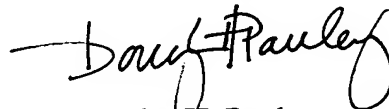
I hereby certify that the following requisites of the subject Patent Application are being deposited with the United States Postal Service as Express Mail Post Office to Addressee No. EV924406535US, on 02 April 2007, and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, together with the items listed below.

- Transmittal Letter (Form PTO-1390) (2 pages), in duplicate
- Executed German Language Declaration (3 pages), attached to a German language copy of the International Application

Serial No.: 10/572,997

- First Information Disclosure Statement (2 pages), together with Form PTO-1449 (1 page), and with a copy of each and every cited non-U.S. Patent reference
- Transmittal of Replacement Drawings (1 page) and two (2) sheets of Replacement Drawings (Figs. 3 and 5)
- Recordation Form Cover Sheet, together with executed Assignment Document (3 pages total)
- Executed Claim for Small Entity Status document
- A check in the amount of \$235.00 to cover the fees set forth in the Transmittal Letter
- Copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
- Return Receipt Postcard

Respectfully submitted,



Douglas H. Pauley  
Registration No. 33,295

Pauley Petersen & Erickson  
2800 West Higgins Road; Suite 365  
Hoffman Estates, Illinois 60169  
TEL (847) 490-1400  
FAX (847) 490-1403

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Klaus FORSTNER  
Title: BLOOD PRESSURE MEASURING  
METHOD AND BLOOD PRESSURE  
MANOMETER  
Serial No.: 10/572,997  
Based Upon: PCT/EP2004/010725  
Express Mail No.: EV924406535US  
Customer No.: 42419

**TRANSMITTAL OF REPLACEMENT DRAWINGS**

**Mail Stop PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed please find two (2) sheets of replacement drawings (Figs. 3 and 5) for the above-identified Patent Application.

Respectfully submitted,



Douglas H. Pauley  
Registration No. 33,295

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